

Application No.: 10/635,413

Docket No.: JCLA11963-R

In The Drawings

Please amend FIG. 5 and FIG. 6 by replacing "13" and "26" with --13a-- and --26a--.

Application No.: 10/635,413

Docket No.: JCLA11963-R

REMARKS**Present Status of the Application**

The Office Action rejected claims 1, 3-8, 10-14 and 17. Specifically, the Office Action rejected claims 1, 3-8, 10-14 and 17 under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (APA) in view of Yoshida et al. (U. S. patent 6,390,924; hereinafter Yoshida). The Office Action also objected drawings and claims 4, 5, and 12. Applicants have amended claims, drawings and specification to overcome objections. Claims 1, 3-4, 6-8, 10-11, and 13-14 and 17 remain pending in the present application, and reconsideration of those claims is respectfully requested.

Discussion of Claim Rejections under 35 USC 103

1. The Office Action rejected claims 1, 3-8, 10-14 and 17 under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art (APA) in view of Yoshida. Applicants respectfully traverse the rejections for at least the reasons set forth below.

2. The present invention as recited in claims includes the harden area C (see FIG 2) at the bottom portion of the mouth. This outer joint member 12 is at least made of two materials with different hardness. In other words, the surface of the mouth portion of the outer joint member 12 has two regions with different hardness. In FIG 2, the hardened area is indicated by C with dotted shaded, and the other area is the unhardened area.

Application No.: 10/635,413

Docket No.: JCLA11963-R

3. In re APA, APA in FIGs. 5 and 6 does not disclose the hardened area of the present invention.

4. In re Yoshida, the Office Action has referred to col. 4, lines 28-30; col. 6, lines 40-44; and col. 14, lines 1-17, so as to provide the harden area missing in APA. However, Applicants respectfully disagree for at least the reasons set forth below:

Yoshida (Fig. 2; col. 6, lined 40-44; col. 13, line 62 – col. 14, line 17) only discloses that the forged skin remains, for example, at bottom 1c1 of the mouth 1c. *This forged skin does not mean that the bottom 1c1 of the mouth 1c is harden. Actually, the whole outer member 1 is made of the same material as a single member.* The forged skin may also remain at the whole surface of the mouth due to the same forging procedure, *or the whole bottom surface.* The forged skin is the whole bottom 1C1 of the mouth 1c (col. 14, lines 1-2). The forged skin is created due to the 2-phase state of ferrite and graphite and may even extend over the whole surface of the outer member 1. In Fig. 2, the outer member 1 does not specifically disclose the hardened area. The outer member does not include the additional portion with different hardness.

5. In comparing the present invention with Yoshida, the induction harden area in the present invention is locally formed at the bottom portion. Particularly, referring to paragraph [0043], the local hardened area C is functioned with the base portion 31 (FIG. 1) and is in effect with the another hardened area A formed in the stem portion.

In other words, Yoshida does not consider the operation with the base portion as recited,

Application No.: 10/635,413

Docket No.: JCLA11963-R

for example, in claim 1, associating with the local hardened area C. Yoshida does not disclose or suggestion to modify APA into the present invention.

For at least the foregoing reasons, Applicant respectfully submits that independent claims 15, 19 and 21 patently define over the prior art references, and should be allowed. For at least the same reasons, dependent claims 16-18, 20, and 22 patently define over the prior art references as well.

Application No.: 10/635,413

Docket No.: JCLA11963-R

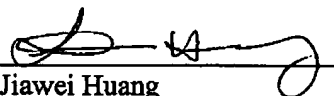
CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims of the invention patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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